

MINUTES OF AN OPEN MEETING  
OF THE  
FEDERAL ELECTION COMMISSION

THURSDAY, MAY 25, 2000

PRESENT: Darryl R. Wold, Chairman, presiding  
Danny L. McDonald, Vice Chairman  
David M. Mason, Commissioner  
Karl J. Sandstrom, Commissioner  
Scott E. Thomas, Commissioner  
James A. Pehrkon, Staff Director  
Lawrence M. Noble, General Counsel  
Mary W. Dove, Acting Secretary

Chairman Darryl R. Wold called the Federal Election Commission to order in an open meeting at 10:10 a.m. with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

Minutes for May 11, 2000  
Agenda Document No. 00-56

Chairman Wold recognized Vice Chairman McDonald, who

MOVED to approve the minutes  
for the open meeting of  
May 11, 2000, as submitted  
in Agenda Document No. 00-56.

The motion carried on the vote of 5-0 with  
Commissioners Mason, McDonald, Sandstrom, Thomas, and  
Wold voting affirmatively.

II. PROPOSAL TO INITIATE A NOTICE OF PROPOSED  
RULEMAKING ON POLITICAL COMMITTEE  
DEFINITION (11 C.F.R. §100.5)

Agenda Documents No. 00-51  
and No. 00-51-A

Chairman Wold recognized Vice Chairman  
McDonald, who

MOVED to suspend the rules on  
the timely submission of agenda  
documents in order to consider  
Agenda Document No. 00-51-A.

The motion carried on the vote of 5-0 with  
Commissioners Mason, McDonald, Sandstrom, Thomas, and  
Wold voting affirmatively.

Chairman Wold stated this matter had been  
placed on the agenda at the request of Commissioner  
Sandstrom.

Chairman Wold recognized Commissioner Sandstrom  
who read his prepared statement for the record, as set  
forth in Agenda Document No. 00-51-A.

II. PROPOSAL TO INITIATE A NOTICE OF PROPOSED  
RULEMAKING ON POLITICAL COMMITTEE  
DEFINITION (11 C.F.R. §100.5)

(continued)

In Commissioner Elliott's absence, Chairman Wold read a statement from her which stated she was opposed to the proposal set forth in Agenda Document No. 00-51 since this is not within the jurisdiction of the Commission to regulate and that the proper form would be through a legislative recommendation to Congress.

A discussion followed.

Chairman Wold recognized Commissioner Sandstrom, who

MOVED to instruct the Regulations Committee to draft a notice of proposed rulemaking which incorporates the proposal set forth in Agenda Document No. 00-51, as well as other proposals, and to include a legal analysis by the General Counsel's office.

The motion carried on the vote of 5-0 with  
Commissioners Mason, McDonald, Sandstrom, Thomas, and Wold voting affirmatively.

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The meeting recessed at 12:05 p.m. and reconvened at 1:40 p.m. with a quorum present.

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III. ADVISORY OPINIONS

A. Draft AO 2000-06

2000 Convention Committee  
of the Reform Party U.S.A.  
by Gerald M. Moan

Agenda Document No. 00-54

Chairman Wold recognized Mr. Michael Marinelli of the General Counsel's Office who presented draft Advisory Opinion 2000-06 concerning the application of the Presidential Election Campaign Fund Act and Commission regulations to the permissible uses of convention funds received from the Treasury of the United States in connection with the Reform Party's Presidential nominating process.

III. ADVISORY OPINIONS (continued)

A. Draft AO 2000-06 (continued)

During his presentation, Mr. Marinelli noted the following amendments:

1. Page 3, Footnote 4, Line 2: Insert the word "not" before the word "deal."
2. Page 3, Footnote 4, last line: Insert the word "of" before the word "general."
3. Page 5, Footnote 5, Line 3: Change the word "chose" to "choose."

Following discussion, Chairman Wold recognized Commissioner Thomas, who

MOVED to approve draft Advisory Opinion 2000-06, as submitted in Agenda Document No. 00-54, subject to the amendments as noted above, and further amended as follows:

1. Page 3, Footnote 3: Delete the remainder of the sentence after the word "convention."
2. Insert additional language at the appropriate place which states that the Commission does not express any opinion regarding the valuation, transfer, or other use of the list for any purpose other than the convention.

The motion carried on the vote of 5-0 with Commissioners Mason, McDonald, Sandstrom, Thomas, and Wold voting affirmatively.

III. ADVISORY OPINIONS (continued)

B. Draft AO 2000-07

Alcatel USA, Inc. by counsel,  
Jonathan B. Newton

Agenda Document No. 00-55

Chairman Wold recognized Mr. Jonathan Levin of the General Counsel's Office who presented draft Advisory Opinion 2000-07 concerning the application of the Federal Election Campaign Act of 1971, as amended ("the Act") and Commission regulations to messages to employees with respect to the company's separate segregated fund ("SSF").

It was agreed without objection to make the following amendment:

Page 4, Footnote 4, Line 4:  
Insert the words "foreign  
national" before the word  
"stockholders."

A discussion was held.

Chairman Wold recognized Commissioner Mason,  
who

MOVED to approve draft Advisory  
Opinion 2000-07, as set forth in  
Agenda Document No. 00-55, as  
amended.

III. ADVISORY OPINIONS (continued)

B. Draft AO 2000-07 (continued)

The motion carried on the vote of 5-0 with Commissioners Mason, McDonald, Sandstrom, Thomas, and Wold voting affirmatively.

IV. ADMINISTRATIVE MATTERS

Staff Director Pehrkon announced the appointment of Mr. Allan D. Silberman as the first Director of the Office of Alternate Dispute Resolution.

The meeting adjourned at 2:45 p.m.

Signed:

Darryl R. Wold  
Chairman

Attest:

Mary W. Dove  
Acting Secretary